

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, NOVEMBER 13, 2006**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:01 p.m. on Monday, November 13, 2006, with President Gray presiding.

Councillor Bradford led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag. He then announced that he would be resigning his Council seat in district 3 effective January 1, 2007. He said that he needed more time with family and continues to support those who give so much of themselves for this community. He stated that he will not be staying for this evening's meeting, and will instead be joining his family for dinner.

ROLL CALL

President Gray instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Abdullah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty, Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy
2 ABSENT: Bradford, Randolph

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Sanders recognized her sister Mary Lawrenson. Councillor Conley recognized friend and local photographer Paul Joy. Councillor Mansfield recognized Washington Township School Board Members in attendance. Councillor Nytes recognized community development corporation board members in attendance. Councillor Brown recognized President of Local Union 416, Mike Reeves, and Bill Brown of Task Force One. Councillor Bateman recognized former Councillor Steve Talley. Councillor Pfisterer wished Mr. Talley a happy birthday in two days. Councillor Abdullah recognized Josephine Rogers, neighborhood activist. Councillor Oliver recognized neighborhood activist Elizabeth Gore and stated that he will celebrate his 63rd

birthday at midnight. Councillor Salisbury stated that Mayor Bart Peterson and his wife Amy celebrated their wedding anniversary last Sunday and he wished them congratulations.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 13, 2006, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Monroe Gray
President, City-County Council

October 31, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, November 1, 2006 and in the *Indianapolis Star* on Thursday, November 2, 2006, a copy of a Notice of Public Hearing on Proposal Nos. 555, 557-560, 562-564 and 566, 2006, said hearing to be held on Monday, November 13, 2006, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

November 8, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 108, 2006 - appropriates a total of \$52,370 in the 2006 Budget of the Department of Public Safety, Police Division and Emergency Planning Division (Non-Lapsing Federal Grants Fund), to expose all "first responders" to simulated exercises to test all hazards training, financed by a US Department of Homeland Security grant

FISCAL ORDINANCE NO. 112, 2006 - appropriates \$464,525 in the 2006 Budget of Marion County Community Corrections (Home Detention User Fee Fund) to fund 2 Outreach Coordinators to work with and assist the adjoining neighborhood associations surrounding the Duvall Residential Center and to acquire additional equipment for the home detention program

FISCAL ORDINANCE NO. 113, 2006 - approves an appropriation of \$700,000 in the 2006 Budget of the Department of Public Works, Operations Division (Transportation General Fund), for anticipated overtime, snow and ice removal expense in late 2006 and other supplies

FISCAL ORDINANCE NO. 115, 2006 - approves a transfer of \$75,957 in the 2006 Budget of Marion County Community Corrections (State and Federal Grants Fund) to pay for two community supervision managers

FISCAL ORDINANCE NO. 116, 2006 - approves a transfer of \$110,000 in the 2006 Budget of the Department of Public Works (Stormwater Utility Management Fund and Sanitation Liquid Waste Fund) to purchase a van and equipment for televising and inspecting storm and sanitation sewers

November 13, 2006

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 2, 2006 - approves an appropriation of \$400,000 in the 2006 Budget of the Department of Public Works, Operations Division (Solid Waste Collection Fund), for overtime expenses incurred in support of snow and ice removal, neighborhood clean-ups, other staffing issues, and to replace funds expended as part of the Weed Enforcement Program

GENERAL ORDINANCE NO. 93, 2006 – authorizes parking restrictions on Delaware Street from St. Clair Street to 9th Street (Districts 9 and 15)

SPECIAL ORDINANCE NO. 8, 2006 - a final resolution for Urban Innovations, Ltd. in an amount not to exceed \$5,500,000 for the acquisition, rehabilitation and renovation of a 111-unit low-income elderly apartment complex located at 8851 Colby Boulevard (Park Regency Apartments Project) (District 1)

GENERAL RESOLUTION NO. 21, 2006 - approves the issuance of one or more series of Sanitary District Revenue Bonds and, if necessary, one or more series of notes in an aggregate principal amount not to exceed \$160,000,000

SPECIAL RESOLUTION NO. 64, 2006 – recognizes Beth Rutz as the Wal-Mart Indiana Teacher of the Year

SPECIAL RESOLUTION NO. 65, 2006 - determines the need to lease approximately 32,000 square feet of space at 8650 West Washington Street for use by various divisions of the Indianapolis Metropolitan Police Department and by other city and county offices

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of October 30, 2006. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 579, 2006. The proposal, sponsored by Councillor Randolph, recognizes the Pike High School football team and coaches for demonstrating kindness, caring and true teamwork to help out a fellow member in need. Councillor Sanders moved, seconded by Councillor Plowman, to postpone Proposal No. 579, 2006 until November 27, 2006, as Councillor Randolph was unable to attend this evening. Proposal No. 579, 2006 was postponed by a unanimous voice vote.

President Gray passed the gavel to Vice President Sanders.

PROPOSAL NO. 613, 2006. The proposal, sponsored by Councillors Gray and Mansfield, congratulates the Crooked Creek Elementary School on its accomplishment of becoming a Blue Ribbon School. Councillor Gray read the proposal and presented representatives with copies of the document and Council pins. Mrs. Reynolds, principal, thanked the Council for the recognition. Councillor Gray moved, seconded by Councillor Mansfield, for adoption. Proposal No. 613, 2006 was adopted by a unanimous voice vote.

Proposal No. 613, 2006 was retitled SPECIAL RESOLUTION NO. 66, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 2006

A SPECIAL RESOLUTION congratulating Crooked Creek Elementary School on its accomplishment of becoming a Blue Ribbon School.

WHEREAS, the No Child Left Behind - Blue Ribbon Schools program recognizes schools making significant progress in closing the achievement gap between students considered disadvantaged and those who achieve at high levels; and

WHEREAS, Crooked Creek Elementary School received the award because of its efforts to ensure that every child learns and that no child is left behind; and

WHEREAS, Crooked Creek Elementary School is one of only 14 Indiana schools to receive a No Child Left Behind Blue Ribbon Schools designation this year; and

WHEREAS, the Department of Education described Crooked Creek Elementary School as a national model of excellence from which other schools can learn; and

WHEREAS, according to the Department of Education, Crooked Creek Elementary School is living proof that students can acquire the kinds of advanced skills and knowledge they need to succeed in today's world; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Crooked Creek Elementary School on demonstrating that it is possible for every student to be challenged.

SECTION 2. The Council heartily congratulates Washington Township's Crooked Creek Elementary School on this great accomplishment.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Vice President Sanders returned the gavel to President Gray.

PROPOSAL NO. 614, 2006. The proposal, sponsored by Councillors Nytes, Conley, Sanders, Gray, Gibson and Pfisterer, recognizes International Education Week. Councillor Nytes read the proposal and presented representatives with copies of the document and Council pins. Katarina Blitzer thanked the Council for the recognition and introduced several other teachers in attendance. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 614, 2006 was adopted by a unanimous voice vote.

Proposal No. 614, 2006 was retitled SPECIAL RESOLUTION NO. 67, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 2006

A SPECIAL RESOLUTION recognizing International Education Week.

WHEREAS, our community is home to an increasingly diverse population and economically linked through the presence of global firms engaged in significant trade, research and development; and

WHEREAS, Education is a shared value among all nations and is the key to progress and the development of a city, a nation and an individual life; and

WHEREAS, international education promotes knowledge and understanding of elements of cultures including language, history, geography, religion, arts, and political and economic systems; and

November 13, 2006

WHEREAS, the Indiana Department of Education emphasizes the importance of education for the global economy through the study of languages, access to print, media, and online resources and opportunities for international exchange; and;

WHEREAS, service learning provides participants with experiential opportunities to enhance the knowledge and skills of international education while meeting the needs of a global society; and;

WHEREAS, our community benefits from the contributions of international students and faculty hosted by our schools, colleges, universities, and host families; and;

WHEREAS, respect for each individual greatly enhances students' abilities to function successfully in our diverse, economically interdependent communities; and;

WHEREAS, International Education Week was established as a joint initiative of the U.S. Department of State and the U.S. Department of Education as a way to promote international understanding in schools and institutions, in the United States and abroad; and;

WHEREAS, International Education Week provides an opportunity to promote and celebrate the benefits of international education and exchange worldwide, and to encourage policies and programs that educate Indiana citizens for the global environment; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly joins in the support of International Education Week and commends those teachers and schools who are working to prepare our young people to be fully functional citizens of the world.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 615, 2006. The proposal, sponsored by Councillors Borst, Boyd, Gray, Conley, Sanders and Gibson, honors Fred L. Armstrong for over 40 years of government service and his role as one of the architects of Indianapolis' rebirth. Councillor Borst read the proposal and presented Mr. Armstrong with a copy of the document and a Council pin. Mr. Armstrong thanked the Council for the recognition. Councillors Gibson, Sanders, Conley, Cockrum, Boyd and Nytes thanked Mr. Armstrong for his many contributions as City Controller, tax adjuster, and at IndyGo. Councillor Borst moved, seconded by Councillor Gibson, for adoption. Proposal No. 615, 2006 was adopted by a unanimous voice vote.

Proposal No. 615, 2006 was retitled SPECIAL RESOLUTION NO. 68, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 2006

A SPECIAL RESOLUTION honoring Fred L. Armstrong for over 40 years of government service and his role as one of the architects of Indianapolis' rebirth.

WHEREAS, Fred L. Armstrong began his illustrious, 44 year career in government finance in 1962 hired on as a Deputy Auditor for Marion County; and

WHEREAS, Fred was promoted to Chief Deputy Auditor and then moved to the City side to become the City Controller and Director of Administration; and

WHEREAS, Fred also became Controller in 1973 for the newly created Indianapolis Public Transportation Corporation and has served in that capacity for the last 33 years; and

WHEREAS, Fred L. Armstrong is known nationally as a financial genius and innovator and has been an important cog in the building and rise to prominence of the City of Indianapolis; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council expresses its gratitude and thanks to Fred L. Armstrong for his large part in the rise of Indianapolis to national and international acclaim.

SECTION 2. The Council wishes Fred and his wife, Paula, many happy travels and adventures together.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 595, 2006. Introduced by Councillors Sanders, Gray and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$33,608 in the 2006 Budget of the Marion County Treasurer (County General Fund) to cover expected shortfalls in personal services, supplies and capital expenses for the remainder of 2006"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 596, 2006. Introduced by Councillors Bowes, Brown, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$6,400 in the 2006 Budget of the Cooperative Extension Service (County General Fund) to cover Character 01 shortages in the budget for fringe benefits"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 597, 2006. Introduced by Councillors Brown, Cockrum, Gray and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$40,000 in the 2006 Budget of the Department of Parks and Recreation (Park General Fund) to pay for needed supplies "; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 598, 2006. Introduced by Councillors Brown, Cockrum, Gray and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$37,428 in the 2006 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to appropriate three grants to allow forestry staff to attend education courses, for maintenance costs on approximately 46 acres of reforestation in Eagle Creek Park, and to assist Indy Parks and Recreation with native seed costs associated with a 56-acre prairie installation project at Eagle Creek Park"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 599, 2006. Introduced by Councillors Brown, Cockrum, Gray, Conley and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$72,029 in the 2006 Budget of the Department of Parks and Recreation (Park General Fund) to fund after school activities at Charity Dye School 27, to fund the Stay in Bounds Character Discovery Challenge Program, and to support the establishment of a School Community Development Manager for two schools in the Martindale-Brightwood neighborhood"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 600, 2006. Introduced by Councillors Brown, Oliver and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$25,000 in the 2006 Budget of the Marion County Coroner (County General Fund) to provide

funding for the salaries of support staff through the end of 2006"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 601, 2006. Introduced by Councillors Moriarty Adams, Brown and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$6,884 in the 2006 Budget of the Marion County Sheriff (State and Federal Grants Fund) to pay for travel expenses for deputies to attend an FBI Hazardous Devices School, funded by Block Grant #9"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 602, 2006. Introduced by Councillors Moriarty Adams, Borst and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$194,202 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to appropriate the Indiana Criminal Justice Institute Juvenile Accountability Block Grant to fund the Reach for Youth Diversion Program, IPD Indy Nite Lite, Restitution and Community Work Service Program, Mentoring Academy, JABG Program administrative costs, and enhancements to the Juvenile Court's case management system"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 603, 2006. Introduced by Councillors Moriarty Adams, Borst and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$300,000 in the 2006 Budget of the Marion Superior Court (County General Fund) to pay for jury costs, security and custodial costs which occurred at levels greater than the amount budgeted"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 604, 2006. Introduced by Councillors Moriarty Adams, Brown and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates a total of \$11,250 in the 2006 Budget of the Department of Public Safety, Emergency Management Planning Division (Non-Lapsing Federal Grants Fund) to fund the purchase of laptops to enhance the capabilities of state and local public safety personnel in preventing and responding to acts of terrorism"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 605, 2006. Introduced by Councillors Moriarty Adams, Brown, McWhirter and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates a total of \$110,337 in the 2006 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund) to fund the Our Kids (OK) Program and to purchase bullet proof vests for police officers"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 606, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$267,312 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to pay salaries, supplies, training, and child interviewing equipment upgrades at the Child Advocacy Center and to provide for continued funding of a deputy prosecutor for the Joint Regional Gang Interdiction Program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 607, 2006. Introduced by Councillors Brown, Moriarty Adams and Keller. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code for the purpose of enabling the Indianapolis Fire Department to charge fees for emergency

ambulance services"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 608, 2006. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which approves a transfer of \$320,762 from the Police General Fund to the IMPD Fund for the funding of the 59 recruits of the Indianapolis Metropolitan Police Department starting November 13, 2006"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 609, 2006. Introduced by Councillors Gray and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at the intersections of Foxwood Lane, Munsee Lane and Munsee Circle (District 8)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 610, 2006. Introduced by Councillors Abdullallah and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes 20 minute parking meters on Delaware Street near Market Street, and on Market Street near Illinois Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 611, 2006. Introduced by Councillors Abdullallah and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes changes in parking restrictions on St. Clair Street between Illinois Street and Meridian Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 612, 2006. Introduced by Councillors Gray, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Article I, Chapter 192, Compensation of Elected Officials, of the Revised Code of the Consolidated City and County"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 616-617, 2006. Introduced by Councillor Mahern. Proposal Nos. 616-617, 2006 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on November 2, 2006. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 166-167, 2006, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 166, 2006.

2006-ZON-072

1248 SOUTH TIBBS AVENUE (*Approximate Address*), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19

HOOSIER BUSINESS PROPERTIES LLC, by Steven R. Hall, Esq. requests rezoning of 0.3185 acre, from the SU-34 District, to the C-4 classification to provide for regional-community commercial uses.

REZONING ORDINANCE NO. 167, 2006.

2006-ZON-842

6220 LINDA LANE (*Approximate Address*), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 13

November 13, 2006

MICHAEL L. HUTER requests rezoning of 0.545 acre, from the D-3 District, to the SU-1 classification to provide for religious uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 555, 2006. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 555, 2006 on November 2, 2006. The proposal, sponsored by Councillors Bowes, Gray and Conley, approves an increase of \$8,575,355 in the 2006 Budget of the Department of Child Services (Family and Children Services Fund) to appropriate revenue from retroactive reimbursements to provide necessary funds to cover all obligations in 2006. By a 4-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Abdullallah stated that he opposed the proposal in Committee but does support the proposal. He had reservations about paying people for not doing what they were supposed to be doing.

President Gray called for public testimony at 7:44 p.m. There being no one present to testify, Councillor Bowes moved, seconded by Councillor Conley, for adoption. Proposal No. 555, 2006 was adopted on the following roll call vote; viz:

27 YEAS: Abdullallah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy
0 NAYS:
2 ABSENT: Bradford, Randolph

Proposal No. 555, 2006 was retitled FISCAL ORDINANCE NO. 117, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 117, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 114, 2005) appropriating Eight Million Five Hundred Seventy Five Thousand Three Hundred Fifty Five Dollars (\$8,575,355) in the Family & Children Services Fund for purposes of the Department of Child Services.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Child Services to fund anticipated expenses remaining in the 2006 budget.

SECTION 2. The sum of Eight Million Five Hundred Seventy Five Thousand Three Hundred Fifty Five Dollars (\$8,575,355) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

DEPARTMENT OF CHILD SERVICES

3. Other Services and Charges
TOTAL INCREASE

FAMILY & CHILDREN SERVICES FUND

8,575,355
8,575,355

SECTION 4. The said increased appropriation is funded by the following reductions:

| <u>FAMILY & CHILDREN SERVICES FUND</u> | |
|--|------------------|
| Unappropriated and Unencumbered | |
| Family & Children Services Fund | <u>8,575,355</u> |
| TOTAL DECREASE | 8,575,355 |

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2005 ending fund balance for the Family & Children Services Fund (on a budgetary basis) was \$1.18 million.

After deducting the appropriation included in this and other pending proposals, the 2006 ending fund balance for the Family & Children Services Fund is estimated to be \$861,003.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 557, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 557, 2006 on November 6, 2006. The proposal, sponsored by Councillors Mahern, Day and Randolph, approves an appropriation of \$300,000 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Non-lapsing State Grants Fund) to enable environmental remediation activities at the properties between 1821 and 1849 South Shelby Street, financed by a grant from the Indiana Finance Authority. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 7:48 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Gibson, for adoption. Proposal No. 557, 2006 was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy

0 NAYS:

1 NOT VOTING: Plowman

2 ABSENT: Bradford, Randolph

Proposal No. 557, 2006 was retitled FISCAL ORDINANCE NO. 118, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Three Hundred Thousand Dollars (\$300,000) in the Non-Lapsing State Grant Fund for purposes of the Department of Metropolitan Development, Community Economic Development Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Community Economic Development Division to enable environmental remediation activities at the properties between 1821 and 1849 South Shelby Street.

SECTION 2. The sum of Three Hundred Thousand Dollars (\$300,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> | |
|--|--------------------------------------|
| <u>COMMUNITY ECONOMIC DEVELOPMENT DIVISION</u> | <u>NON-LAPSING STATE GRANTS FUND</u> |
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | \$300,000 |
| 4. Capital Outlay | 0 |
| TOTAL INCREASE | \$300,000 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| | <u>NON-LAPSING STATE GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| Non-lapsing State Grants Fund | \$300,000 |
| TOTAL REDUCTION | \$300,000 |

SECTION 5. The match requirements for these grants will be met through contributions from owners of the parcels of land subject to this grant (Southeast Neighborhood Development and the operator of Claus' Meat Market). These funds will be used as match for the grants requested from the Indiana Finance Authority.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Mahern reported that the Metropolitan Development Committee heard Proposal Nos. 558-560, 2006 on November 6, 2006. He asked for consent to vote on these proposals together. Councillor Schneider asked that Proposal No. 560, 2006 be voted on separately. Consent was given to vote on Proposal Nos. 558 and 559, 2006 together.

PROPOSAL NO. 558, 2006. The proposal, sponsored by Councillors Mahern Langsford, Gray and Conley, approves an appropriation of \$131,130 in the 2006 Budget of the Department of Metropolitan Development, Compliance Division (Non-lapsing Federal Grants Fund), to revise floodplain maps for three streams: Williams Creek, Crooked Creek, and Howland Ditch, financed by a grant from the Federal Emergency Management Agency. PROPOSAL NO. 559, 2006. The proposal, sponsored by Councillors Mahern, Langsford, Gibson, Gray, Sanders, Conley, Brown and Randolph, approves an appropriation of \$54,100 in the 2006 Budget of the Department of Metropolitan Development, Historic Preservation Division (Non-lapsing Federal Grants and Consolidated County Funds), to encourage preservation and create growth opportunities in the surrounding areas of Irvington, funded by a \$42,100 grant from the U.S. Department of the Interior, a donation of \$4,000 from the Historical Irvington Community Council, and \$8,000 from the Irvington Historical Society. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 7:53 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 558 and 559, 2006 were adopted on the following roll call vote; viz:

26 YEAS: Abdullallah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy

0 NAYS:

1 NOT VOTING: Plowman

2 ABSENT: Bradford, Randolph

Proposal No. 558, 2006 was retitled FISCAL ORDINANCE NO. 119, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating One Hundred thirty-one Thousand One Hundred Thirty Dollars (\$131,130) in the Non-Lapsing Federal Grant Fund for purposes of the Department of Metropolitan Development, Compliance Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. The sum of One Hundred thirty-one Thousand One Hundred Thirty Dollars (\$131,130) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT

COMPLIANCE DIVISION

NON-LAPSING FEDERAL GRANTS FUND

| | |
|-------------------------------|-----------|
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | \$131,130 |
| 4. Capital Outlay | 0 |
| 5. Internal Charges | 0 |
| TOTAL INCREASE | \$131,130 |

SECTION 4. The said increased appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

| | |
|---------------------------------|-----------|
| Unappropriated and Unencumbered | |
| Non-lapsing Federal Grants Fund | \$131,130 |
| TOTAL REDUCTION | \$131,130 |

SECTION 5. These grants have no local match requirement.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 559, 2006 was retitled FISCAL ORDINANCE NO. 120, 2006, and reads as follows:

November 13, 2006

CITY-COUNTY FISCAL ORDINANCE NO. 120, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Forty-two Thousand One Hundred Dollars (\$42,100) in the Non-Lapsing Federal Grant Fund and Twelve Thousand Dollars (\$12,000) in the Consolidated County Fund for purposes of the Department of Metropolitan Development, Historic Preservation Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. The sum of Fifty-Four Thousand One Hundred Dollars (\$54,100) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> | |
|---|--|
| <u>HISTORIC PRESERVATION DIVISION</u> | <u>NON-LAPSING FEDERAL GRANTS FUND</u> |
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | \$42,100 |
| 4. Capital Outlay | <u>0</u> |
| TOTAL INCREASE | \$42,100 |

| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> | |
|---|---------------------------------|
| <u>HISTORIC PRESERVATION DIVISION</u> | <u>CONSOLIDATED COUNTY FUND</u> |
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | \$12,000 |
| 4. Capital Outlay | <u>0</u> |
| TOTAL INCREASE | \$12,000 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| <u>NON-LAPSING FEDERAL GRANTS FUND</u> | |
|--|-----------------|
| Unappropriated and Unencumbered | |
| Non-lapsing Federal Grants Fund | <u>\$42,100</u> |
| TOTAL REDUCTION | \$42,100 |

| <u>CONSOLIDATED COUNTY FUND</u> | |
|---------------------------------|-----------------|
| Unappropriated and Unencumbered | |
| Consolidated County Fund | <u>\$12,000</u> |
| TOTAL REDUCTION | \$12,000 |

SECTION 5. We are requesting appropriation for matching funds for the Preserve America Grant. The grant is a 50/50, grant-to-local match, federal award. The sources of the non-federal match cash contributions will come from Historic Irvington Community Council \$4,000, and Irvington Historical Society, \$8,000. The remaining portion of the match will be from in-kind services provided by the City of Indianapolis, LISC, Historic Irvington Community Council, and Irvington Historical Society.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 560, 2006. The proposal, sponsored by Councillors Mahern, Day, Langsford, Gray, Sanders, Conley, Brown, Gibson and Randolph, approves an appropriation of \$588,500 in the 2006 Budget of the Department of Metropolitan Development, Community Economic Development Division (Non-lapsing Federal Grants Fund), to develop affordable housing and homeownership opportunities for low/moderate-income homebuyers at the following locations: Phase IV of Fall Creek Place, Red Maple Grove development project, and the Rink Savoy Apartments. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 7:54 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Nytes, for adoption. Proposal No. 560, 2006 was adopted on the following roll call vote; viz:

25 YEAS: *Abduallah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Speedy*
1 NAY: *Schneider*
1 NOT VOTING: *Plowman*
2 ABSENT: *Bradford, Randolph*

Proposal No. 560, 2006 was retitled FISCAL ORDINANCE NO. 121, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 121, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Five Hundred Eighty-eight Thousand Five Hundred Dollars (\$588,500) in the Non-Lapsing Federal Grant Fund for purposes of the Department of Metropolitan Development, Community Economic Development Division and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (i) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development.

SECTION 2. The sum of Five Hundred Eighty-eight Thousand Five Hundred Dollars (\$588,500) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY ECONOMIC DEVELOPMENT DIVISION</u> | | <u>FEDERAL GRANTS FUND</u> |
|---|--|--|
| 1. Personal Services | | 0 |
| 2. Supplies | | 0 |
| 3. Other Services and Charges | | <u>\$440,000</u> |
| TOTAL INCREASE | | \$440,000 |
| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY ECONOMIC DEVELOPMENT DIV</u> | | <u>NON-LAPSING FEDERAL GRANTS FUND</u> |
| 1. Personal Services | | 0 |
| 2. Supplies | | 0 |
| 3. Other Services and Charges | | <u>\$148,500</u> |
| TOTAL INCREASE | | \$148,500 |

November 13, 2006

SECTION 4. The said increased appropriation is funded by the following reductions:

| | <u>FEDERAL GRANTS FUND</u> |
|---------------------------------|--|
| Unappropriated and Unencumbered | |
| Federal Grants Fund | <u>\$440,000</u> |
| TOTAL REDUCTION | <u>\$440,000</u> |
| | |
| | <u>NON-LAPSING FEDERAL GRANTS FUND</u> |
| Unappropriated and Unencumbered | |
| Non-lapsing Federal Grants Fund | <u>\$148,500</u> |
| TOTAL REDUCTION | <u>\$148,500</u> |

SECTION 5. No local match is required for these grants.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 562-564 and 566, 2006 on November 1, 2006. She asked for consent to vote on these proposals together. Councillor Schneider asked that Proposal No. 566, 2006 be voted on separately. Consent was given to vote on Proposal Nos. 562-564, 2006 together.

PROPOSAL NO. 562, 2006. The proposal, sponsored by Councillors Moriarty Adams, Brown, Conley and Randolph, appropriates \$1,597,191 in the 2006 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund child interviewers at the Child Advocacy Center, the Adult Protective Services Unit, 8 victim advocate positions for various divisions in the Prosecutor's Office, 5 teams of local law enforcement officers from six departments, and overtime patrols to combat impaired driving and increase seatbelt usage, funded through various federal grants. PROPOSAL NO. 563, 2006. The proposal, sponsored by Councillors Moriarty Adams, Brown, Conley, Sanders, Gibson and Randolph, approves an increase of \$99,045 in the 2006 Budget of the Marion County Clerk (State and Federal Grants Fund) to appropriate a pass through grant from the Indiana Criminal Justice Institute to fund the Protective Order Pro Bono Project, which provides legal assistance to low-income victims of domestic abuse. PROPOSAL NO. 564, 2006. The proposal, sponsored by Councillors Moriarty Adams, Borst, Brown, Sanders and Randolph, approves an increase of \$48,178 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund the Child Advocates Expansion Project for GAL/CASA representation of children in abuse/neglect cases referred by the Marion Superior Court. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Brown, for adoption. Proposal Nos. 562-564, 2006 were adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy

0 NAYS:

1 NOT VOTING: Plowman

2 ABSENT: Bradford, Randolph

Proposal No. 562, 2006 was retitled FISCAL ORDINANCE NO. 122, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating One Million Five Hundred Ninety-Seven Thousand One Hundred Ninety-One Dollars (\$1,597,191) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (c) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor, for the following initiatives:

State and Federal Grants Fund

Child Interviewers

Grant in the amount of \$95,237 to be appropriated in the 2006 Budget of the County Prosecutor (State and Federal Grants Fund) to fund 2.5 child interviewers located at the Child Advocacy Center. This is a continued program funded through a grant awarded by the Indiana Criminal Justice Institute. Matching funds in the amount of \$23,810 will come from the Prosecutor's Deferral Fund and is already appropriated in the current and 2007 budget.

Adult Protective Services

Grant in the amount of \$400,062 to be appropriated in the 2006 Budget of the County Prosecutor (State and Federal Grants Fund) to provide funding for the Adult Protective Services Unit. This is a continued program that has been provided through a grant awarded by FSSA. This grant will continue the operation of the Adult Protective Services (APS) Unit that provides services to four counties (Boone, Hamilton, Hendricks and Marion) by investigating cases of battery, neglect, and exploitation of endangered adults. This is the second year of funding of a two-year contract with the Family and Social Services Administration (FSSA). No match is required for this grant.

Victim Advocates

Grant in the amount of \$270,205 to be appropriated in the 2006 Budget of the County Prosecutor (State and Federal Grants Fund) to fund eight victim advocate positions for various divisions with the prosecutor's office. This is a continued program funded through a grant awarded by the Indiana Criminal Justice Institute through the U.S. Department of Justice Victims Crime Act Victim Assistance Grant. Matching funds in the amount of \$67,552 are already budgeted in the current and 2007 county general and deferral fund.

FACT/OVWI Prosecutor

Grant through the Governor's Council on Impaired and Dangerous Driving in the amount \$196,687 which funds 5 teams of local law enforcement officers from 6 departments. These teams respond to any fatality or serious bodily injury crash in Marion County. The team also responds to all hit and run crashes. The officers are specialized in different fields involving impaired crashes. An OVWI Prosecutor also responds to every FACT crash scene. Because of their expertise, this team continues to have a 100% conviction rate. No match is required for this grant.

OPO/BCC

Grant through the Governor's Council on Impaired and Dangerous Driving the amount of ~~\$300,000~~ \$285,000 to be appropriated in the 2006 Budget of the County Prosecutor (State and Federal Grants Fund) funding overtime patrols to combat impaired driving and increase seat belt usage in Marion County. Public information and education is also a vital part of these grants. No match is required for this grant.

DUI Indiana

Grant through the Governor's Council on Impaired and Dangerous Driving in the amount of \$350,000 to be appropriated in the 2006 Budget of the County Prosecutor (State and Federal Grants Fund) funding overtime patrols to combat impaired driving in Marion County. This enforcement includes Sobriety Checkpoints and Saturation Patrols. No match is required for this grant.

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SECTION 2. The sum of One Million Five Hundred Ninety-Seven Thousand One Hundred Ninety-One Dollars (\$1,597,191) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY PROSECUTOR</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| 1. Personal Services | 938,780 |
| 2. Supplies | 24,596 |
| 3. Other Services and Charges | 618,125 |
| 4. Capital Outlay | <u>15,690</u> |
| TOTAL INCREASE | 1,597,191 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| State and Federal Grants Fund | <u>1,597,191</u> |
| TOTAL REDUCTION | 1,597,191 |

SECTION 5. Matching funds for the Child Interviewers' grant, in the amount of \$23,810, will come from the Prosecutor's Deferral Fund and is already appropriated in the 2007 budget; matching funds for the Victim Advocates' grant, in the amount of \$67,552, are already budgeted in the current and 2007 county general and deferral fund; and matching funds for the Victim Services Assistance Program, in the amount of \$7799, are being paid by the Family Service Association.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 563, 2006 was retitled FISCAL ORDINANCE NO. 123, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 123, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Ninety Nine Thousand Forty Five Dollars (\$99,045) in the State & Federal Grants Fund for purposes of the Marion County Clerk of the Circuit Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(a) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Clerk of the Circuit Court to fund the Protective Order Pro Bono Project.

SECTION 2. The sum of Ninety Nine Thousand Forty Five Dollars (\$99,045) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>MARION COUNTY CLERK</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|-------------------------------|--------------------------------------|
| 3. Other Services and Charges | <u>99,045</u> |
| TOTAL INCREASE | 99,045 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| State and Federal Grants Fund | <u>99,045</u> |
| TOTAL DECREASE | 99,045 |

SECTION 5. There is no local match associated with this grant.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 564, 2006 was retitled FISCAL ORDINANCE NO. 124, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Forty Eight Thousand One Hundred Seventy Eight Dollars (\$48,178) in the State & Federal Grants Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund the Child Advocates Expansion Project.

SECTION 2. The sum of Forty Eight Thousand One Hundred Seventy Eight Dollars (\$48,178) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|-------------------------------|--------------------------------------|
| 3. Other Services and Charges | <u>48,178</u> |
| TOTAL INCREASE | 48,178 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| State and Federal Grants Fund | <u>48,178</u> |
| TOTAL DECREASE | 48,178 |

SECTION 5. The local match of \$12,045 is being met by Child Advocates, Inc..

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 566, 2006. The proposal, sponsored by Councillors Moriarty Adams, Borst, Brown, Conley, Sanders and Randolph, approves an increase of \$24,500 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund a pilot program titled "Beyond Translation" which allows the court to communicate with the Hispanic population the importance of complying with court orders, including probation and payment of fines and costs. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider said that this proposal does not add translators to the courts but simply ads education for illegal aliens and he believes it is not a good expenditure of tax dollars.

President Gray called for public testimony at 8:05 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Brown, for adoption. Proposal No. 566, 2006 was adopted on the following roll call vote; viz:

21 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Brown, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders
5 NAYS: Cain, Cockrum, Salisbury, Schneider, Speedy
1 NOT VOTING: Plowman
2 ABSENT: Bradford, Randolph

Proposal No. 566, 2006 was retitled FISCAL ORDINANCE NO. 125, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Twenty Four Thousand Five Hundred Dollars (\$24,500) in the State & Federal Grants Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to fund the Beyond Translation program.

SECTION 2. The sum of Twenty Four Thousand Five Hundred Dollars (\$24,500) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|-------------------------------|--------------------------------------|
| 3. Other Services and Charges | <u>24,500</u> |
| TOTAL INCREASE | 24,500 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| State and Federal Grants Fund | <u>24,500</u> |
| TOTAL DECREASE | 24,500 |

SECTION 5. There is no local match associated with this grant.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the

controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 370, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 370, 2006 on several occasions, with a recommendation vote being taken on October 31, 2006. The proposal, sponsored by Councillors Franklin, Boyd, Randolph and Gibson, amends Chapter 531, Animals, of the Revised Code of the Consolidated City and County. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Franklin, for adoption.

Councillor Gibson said that this amended proposal clearly defines dangerous animals and offers stiffer penalties and fines, as well as limiting the number of dangerous animals, and he supports it.

Councillor Pfisterer made the following motion:

Mr. President:

I HEREBY MOVE that Proposal No. 370, 2006, as amended and currently before the body, be amended by adding the language that is double-underscored and in bold type, as follows:

Sec. 531-501. Definitions. Wild and dangerous animal determination, appeal rights and confinement requirements.

(b) Following notice to the owner and prior to the hearing, if the Director has probable cause to believe that an animal or dog is dangerous and may pose a threat to public safety, the Administrator may obtain a search warrant pursuant to the laws of this jurisdiction and impound the dog pending disposition of the case. The owner of the animal **or dog** shall be liable for the cost and expenses of keeping the animal.

Councillor McWhirter seconded the motion, and Proposal No. 370, 2006 was amended by a unanimous voice vote.

Councillor Borst said that while this ordinance is not perfect, it is a pretty good start. He said that it does not hurt the responsible pet owner, penalizes the irresponsible pet owner, is pretty straightforward as to what constitutes a dangerous animal, and is pretty enforceable. He said that Animal Control may need more personnel to enforce accurately, but it is doable. He said that 83% of all dog bite victims are children age 10 and under. He made the following motion:

Mr. President:

I HEREBY MOVE that Proposal No. 370, 2006, as amended and currently before the body, be amended to add a new definition, by adding the language that is underscored, as follows:

Sec. 531-101. Definitions.

Monitored means the animal or dog: (a) is controlled by means of a leash or other device held by a competent person, subject to the provisions of Sec. 531-401 and Sec. 531-728, which animal or dog is sufficiently near the owner or handler as to be under his or her direct control and is obedient to

that person's command; or (b) is on or within a vehicle being driven or parked; or (c) is confined as required by this chapter.

He further asked that a technical correction of parentheses descriptions be added for consistency in Sec. 531-728 (b). Councillor Boyd seconded the motion. Proposal No. 370, 2006 was amended by a unanimous voice vote.

Proposal No. 370, 2006 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy*

0 NAYS:

1 NOT VOTING: *Plowman*

2 ABSENT: *Bradford, Randolph*

Proposal No. 370, 2006 was retitled GENERAL ORDINANCE NO. 94, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 94, 2006

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by amending Chapter 531, Animals.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 531-101 through 531-105 and Sec. 531-109 of Chapter 531 of the Revised Code of the Consolidated City and County are hereby amended by deleting the text that is stricken through and adding the language that is underlined as follows:

Sec. 531-101. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

Animal means any living, nonhuman vertebrate creature.

Animal care and control division means the animal care and control division of the ~~city~~ department of public safety.

At large means not confined without means of escape in a pen, corral, yard, cage, house, vehicle or other secure enclosure, unless ~~otherwise on a leash and~~ under the control of a competent human being.

Colony means a group of one (1) or more free-roaming cats, whether unmanaged or managed.

Colony caretaker means a person who provides food, water and shelter for free-roaming cats in a managed colony.

Crime prevention dog means and includes a dog which is trained and used by its owner or keeper primarily for the protection of persons or property, or both.

Dangerous animal means any animal that: 1) would constitute a danger to human life or property if it were not kept in the manner required by this chapter; or 2) has caused serious injury to a person without having been provoked by that person; or 3) at a place other than its owner's or keepers property has a) chased or approached a person in a menacing fashion or apparent attitude of attack or b) attacked another domestic animal; or 4) because of its training or behavior, is capable of inflicting physical harm or death to humans.

Dog means and includes animals of the *Canis familiaris* species, and hybrids of a *Canis familiaris* and any other member of the *Canis* genus, including wolves. *Domestic animals* means rabbits, cattle, horses, ponies, mules, donkeys, jackasses, llamas, swine, sheep, goats, dogs, cats and poultry.

Exposed to rabies means an animal has been exposed to rabies if it has been bitten by or been in contact with any animal known or reasonably suspected to have been infected with rabies.

Free-roaming cat means any homeless, stray, wild or untamed cat.

Kennel means a facility operated commercially and principally for the purpose of boarding, housing, grooming, breeding or training dogs or cats, or both. For purposes of this chapter, kennel shall not include a facility in or adjoining a private residence where dogs or cats are kept for the hobby of the owner, lessee or other occupant of the property using the animals for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the property, and an occasional sale of pups or kittens by the owner, lessee or other occupant of the property shall not make such property a kennel for the purposes of this chapter.

Law enforcement animal means an animal that is owned or used by a law enforcement agency for the purpose of aiding in the detection of criminal activity, enforcement of laws, the apprehension of offenders and ensuring the public welfare.

Managed colony means a colony of free-roaming cats that is registered with the animal care and control division or its designee and is maintained by a colony caretaker using trap, neuter, return methodology.

Monitored means the animal or dog:

- a) is controlled by means of a leash or other device held by a competent person, subject to the provisions of Sec. 531-401 and Sec. 531-728, which animal or dog is sufficiently near the owner or handler as to be under his or her direct control and is obedient to that person's command; or
- b) is on or within a vehicle being driven or parked; or
- c) is confined as required by this chapter.

Nonbite exposure means and includes scratches, abrasions, open wounds or mucous membranes contaminated with saliva or other potentially infectious material from a rabid animal.

Own means to keep, harbor or have custody, charge or control of an animal, and owner means and includes any person who owns an animal; however, veterinarians and operators of kennels, pet shops and stables, as those terms are defined in Chapter 836 of this Code, who temporarily keep animals owned by, or held for sale to, other persons shall not be deemed to own or be owners of such animals, but rather to be keepers of animals, and colony caretakers of managed colonies of free-roaming cats shall not be deemed to be owners or keepers of such animals.

Person means and includes any individual, corporation, partnership or other association or organization, but shall exclude the following for purposes of Sec. 531-401:

- (1) Police officers, federal or state armed forces, park rangers, game wardens, conservation officers and other such governmental agencies, with respect to actions which constitute a discharge of their official duties; and
- (2) An individual, partnership, corporation or other association, organization, or institution of higher education, which is registered as a research facility with the United States Secretary of Agriculture under 7 USC § 2131 et seq., commonly known as the "Animal Welfare Act," while engaged in the course of their performance as such.

Potentially dangerous dog means any dog that:

- a) Causes injury to a person or domestic animal which is less severe than a serious injury; or
- b) Chases or menaces a person or domestic animal without provocation; or
- c) Runs at large in violation of Sec. 531-102(c)(2).

Provoke means the infliction of bodily harm on the animal or another person, or conduct that constitutes a substantial step toward the infliction of bodily harm on the animal or another person.

Public safety board means the board of public safety of the ~~city~~ department of public safety.

Serious injury, for purposes of this Chapter means any injury which results in a broken bone, lacerations severe enough to require multiple sutures, or to render cosmetic surgery necessary, or appropriate or death.

Quarantining authority means the ~~city~~ department of public safety, its contractors, agents, employees and designees, acting under directives and regulations of the Health and Hospital Corporation of Marion County or the state board of animal health.

Shelter means the animal care and control facility located at 2600 South Harding Street in the City of Indianapolis.

Veterinarian means a person licensed to practice veterinary medicine in the state.

~~Wild or dangerous animal~~ means and includes:

- (1) A Class III wild animal for which a state permit is required under 310 IAC 3.1-11-8 and or I.C. 14-22-26; and
- (2) A venomous snake, poisonous amphibian, or other large reptile.

Sec. 531-102. Animals at large prohibited; penalties.

(a) It shall be unlawful for the owner or keeper of an animal to cause, suffer, or allow that animal which is owned or kept by such person to be at large in the city.

(b) Except ~~as~~ provided in subsection (c) of this section, Sec. 531-501 or Sec 531-727, the first violation in any twelve-month period shall ~~be~~ subject the owner to an admission of violation and payment of ~~the designated civil penalty through the ordinance violations bureau as provided in Article III of Chapter 103 of this Code~~ a fine of not less than twenty five dollars (\$25.00) ~~nor~~ greater than fifty dollars (\$50.00), and all ~~second and~~ subsequent violations in a twelve-month period are subject to the enforcement procedures provided in section 103-3 of the Code and a fine of not less than one hundred dollars (\$100.00) or a maximum fine of not more than two hundred dollars (\$200.00) per violation.

(c) If, while the animal is at large in violation of this section at a location other than its owner's or keeper's property, it:

- (1) Attacks another animal; or
- (2) Chases or approaches a person in a menacing fashion or apparent attitude of attack; then the violation shall be subject to the enforcement procedures and penalties provided in section 103-3 of the Code, and the fine imposed shall not be less than two hundred and fifty dollars (\$250.00), or five hundred dollars (\$500.00) if another animal or person is injured as a result of the animal's actions.

Sec. 531-103. Confinement of female animals in heat.

The owner or keeper of any female animal in heat kept in the city shall confine the animal within a secure enclosure and in such a manner as to prevent it from becoming a nuisance.

Sec. 531-104. Keeping swine.

It shall be unlawful for a person to keep swine on premises in the ~~police special service district of the consolidated city and county~~, unless such premises are stockyards, slaughterhouses, or other premises where the keeping or raising of livestock is permitted by county zoning ordinances.

Sec. 531-105. Keeping horses, ponies, mules, donkeys, jackasses, and llamas.

It shall be unlawful for a person to own, keep, or breed a horse, pony, mule, donkey, jackass, or llama in the consolidated city and county on premises which measure less than eight thousand (8,000) square feet in a lot area per animal, unless such premises are registered as a stable under Chapter 836 of this Code.

Sec. 531-109. Owner responsibility for animal attacks.

(a) It shall be unlawful for an owner or keeper of an animal to allow that animal to attack and injure a person who did not provoke the animal prior to the attack. ~~For purposes of this section, provoke means the infliction of bodily harm on the animal or another person, or conduct that constitutes a substantial step toward the infliction of bodily harm on the animal or another person.~~

(b) It shall be a defense to prosecution under this section if:

- (1) The attack occurred in an enclosure in which the animal was confined without means of escape, there was posted at the main entrance of the enclosure a notice to beware of the animal, and the person attacked entered the enclosure without invitation; or
- (2) The person was attacked during the commission or attempted commission of a criminal act on the property of the owner or keeper of the animal.

(c) A person who violates any provision of this section shall be punishable as provided in section 103-3 of this Code; provided, however, a fine imposed for any such violation shall not be less than five hundred dollars (\$500.00). If the violation results in the animal causing serious bodily injury to any person, the court upon request shall order the animal forfeited and/or destroyed.

(d) The liability imposed by this section shall not reduce, substitute for or in any manner be deemed to be in derogation of the rights accorded victims of dog bite injury or property damages as provided for at I.C. 15-5-12, et seq. or by common law.

SECTION 2. Section 531-202 of Chapter 531 of the Revised Code of the Consolidated City and County is hereby amended by deleting the text that is stricken through and adding the language that is underlined as follows:

Sec. 531-202. Permanent identification of dogs and cats required.

(a) A person who owns a dog or cat in the consolidated city and county shall ensure that each dog or cat owned by that person bears a permanent means of identification at all times, such that the owner of a lost or stolen dog or cat can be ascertained quickly and easily.

(b) The means of identification required by this section shall be in addition to any tags required to be worn by dogs or cats by state law or other provision of this Code, and shall ~~include~~ be either by means of:

- (1) A microchip implanted in the dog or cat or animal which bears a registered identification number, and which can be read by a standard microchip scanner; or
- (2) A permanent tag attached to a durable collar worn at all times by the dog or cat, and bearing the owner's current name, address and telephone number.

(c) Each veterinarian or other person in the consolidated city and county who implants microchips as contemplated in this section shall, at an interval of not less than once each month, send to the animal care and control division the names, addresses, and phone numbers of the owners of the dogs and cats, and the corresponding microchip identification numbers. Such records shall be available to animal care and control division without court order.

(d) It shall be unlawful for a person to own a dog or cat three (3) months of age or older which is kept in the consolidated city and county, and which does not bear a permanent means of identification as provided in this section. A violation of this section shall be punishable as provided in section 103-3 of this Code; provided, however, a fine imposed for any such violation shall not be less than fifty dollars (\$50.00) or greater than one hundred dollars (\$100.00).

SECTION 3. Sections 531-401 and 531-404 of Chapter 531 of the Revised Code of the Consolidated City and County are hereby amended by deleting the text that is stricken through and adding the language that is underlined as follows:

Sec. 531-401. General requirements for animal care and treatment.

(a) Every owner or keeper of an animal kept in the consolidated city and county shall see that such animal:

- (1) Is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit or lie in its own excrement; the person(s) responsible for animal(s) shall regularly and as often as necessary to prevent odor or health and sanitation problems, maintain all animal areas or areas of animal contact;
- (2) Has food that is appropriate for the species in adequate amounts to maintain good health, fresh potable drinking water where appropriate, shelter and ventilation, including quarters that are

protected from excessive heat and cold and are of sufficient size to permit the animal to exercise and move about freely;

- (3) Shall not be tethered by use of a choke collar, or on any collar too small for the size and age of the animal, ~~nor~~ by any rope, chain or cord directly attached to the animal's neck, ~~nor~~ by a leash less than twelve (12) feet in length, nor by any tether or leash without swivels on both ends, or of such unreasonable weight as to prevent the animal from moving about freely;
 - (4) Is protected against abuse, cruelty, neglect, torment, overload, overwork, or any other mistreatment;
 - (5) Shall provide the reasonably necessary medical care, in addition to the required rabies vaccination which shall include recommended vaccinations as required by accepted veterinary standards, and if diseased or injured, or exhibiting symptoms of disease, receives proper care and is segregated from other animals so as to prevent transmittal of the disease; and
 - (6) Is maintained in compliance with all applicable federal, state and local laws and all regulations respecting animal care and control as are adopted by the ~~city~~ department of public safety and in effect from time to time.
- (b) It shall be unlawful for a person to beat, starve or otherwise mistreat any animal in the city, or to fail to comply with any requirement of subsection (a) of this section.

(c) It shall be unlawful for any animal to be tethered between the hours of 11:00 p.m. and 6:00 a.m.; or to tether any un-sterilized dog for any period of time unless it is monitored by a competent adult for the duration of such tethering; or to tether or confine an animal at a vacant structure or premises for any purpose or time when it is not monitored by a competent adult who is present at the property for the duration of such tethering or confinement.

~~(e d)~~ In the discretion of the enforcement authority, as that term is defined in section 531-711 of this Code, a person who violates any provision of this section for the first time may be given written notice of the practices or conditions which constitute the violation, and the enforcement authority shall in such instance direct remedies to such person where appropriate and provide a time period of no longer than thirty (30) days within which to correct the violation(s). Failure of the person to correct the violations within the specified time period shall constitute prima facie evidence of this section.

~~(d e)~~ A person who violates any provision of this section shall be punishable as provided in section 103-3 of this Code; provided, however, the fines imposed for any such violations shall be as follows:

- (1) For the first violation, not less than twenty-five dollars (\$25.00); and
- (2) For the second or subsequent violations, not less than two hundred dollars (\$200.00), and the court upon request shall order forfeiture or other disposition of the animal involved. A judgment by the court which orders forfeiture or other disposition of the animal by the city or any third party shall include as a part of such judgment adequate provisions for the collection of costs of forfeiture or impoundment from the person found in violation.

Sec. 531-404. Animal fights.

It shall be unlawful for a person to incite, train to fight (other than a law enforcement animal or crime prevention dog) or set any animal to fighting another animal or to incite combat between animals and humans in the consolidated city and county.

SECTION 4. Art. V of Chapter 531 and Sections 531-501 through 531-503 of the Revised Code of the Consolidated City and County are hereby amended by deleting the text that is stricken through and adding the language that is underlined as follows:

ARTICLE V. WILD OR DANGEROUS ANIMALS, REGISTRATION, CONFINEMENT AND APPEAL RIGHTS; ~~AND CRIME PREVENTION DOGS~~

Sec. 531-501.—Definitions.—Wild and dangerous animal determination, appeal rights and confinement requirements.

For purposes of this article, the following procedure, terms and penalties shall ~~have the meanings ascribed to them in this section~~ apply to wild and dangerous animal determinations, care requirements to be imposed and actions by the animal care and control division.

~~*Crime prevention dog* means and includes a dog which is trained and used by its owner or keeper primarily for the protection of persons or property, or both.~~

~~*Wild or dangerous animal* means and includes:~~

- ~~(1) A Class III wild animal for which a state permit is required under 310 IAC 3-1-11-8; and~~
- ~~(2) A venomous snake, poisonous amphibian, or other large reptile.~~

~~(a) After an investigation, the Administrator of the animal control and care division is authorized to make a determination whether an animal or a dog is, based upon the factors listed in Sec. 531-101, dangerous or potentially dangerous and shall notify the owner of the animal in writing of that status. If the Administrator has probable cause to believe that an animal is dangerous or potentially dangerous, the Administrator may convene a hearing for the purpose of determining whether the animal in question shall be declared dangerous or potentially dangerous and to determine if the animal would pose a threat to public safety if returned to its owner or if specific conditions of care and treatment were not imposed on the return of the animal to its owner. Prior to the hearing, the Administrator shall conduct or cause to be conducted an investigation and shall provide reasonable notice of the hearing to the owner.~~

~~(b) Following notice to the owner and prior to the hearing, if the Administrator has probable cause to believe that an animal or dog is dangerous and may pose a threat to public safety, the Administrator may obtain a search warrant pursuant to the laws of this jurisdiction and impound the animal or dog pending disposition of the case. The owner of the animal or dog shall be liable for the cost and expenses of keeping the animal.~~

~~(c) The hearing shall be held no less than five (5), and not more than ten (10) days, excluding holidays, Saturdays and Sundays, after service of notice upon the animal's owner. The hearing shall be informal and open to the public. The owner shall have the opportunity to present evidence as to why the animal or dog should not be declared dangerous or not pose a threat to public safety if returned to its owner. The Administrator may present all issues for or against the owner of the animal regardless of whether the owner appears at the hearing.~~

~~(d) Within five (5) days after the hearing, the Administrator shall notify the owner in writing of the determination.~~

~~(e) The owner may, within five (5) days after a determination that an animal is dangerous, bring a petition in this county seeking review of the determination. A decision by a court overturning the Administrator shall result in the return of the dog or animal to the owner subject to the provisions of Sec. 531-733.~~

~~(f) Confinement of a dangerous dog or animal or potentially dangerous dog or animal means confinement to a fenced yard from which the dog or animal may not escape by slipping under or over the fence or through an open gate or which would allow the animal to bite or to otherwise wound a person who may brush against or stick a hand or finger in, over or through the fence. Such an animal may be confined in an owner's home. The animal's confinement must be such as will prevent the animal from harassing neighbors or passersby and may not constitute either a sight, smell or noise nuisance.~~

~~(g) The owner of a dangerous dog may not cause, suffer or allow it to go unconfined, unrestrained or to run at large on any public street or byway, right-of-way, or any municipally owned or public land or public building, at any time, or upon any private property without the permission of the owner of such private property.~~

~~(h) Any violation of this section shall subject the owner or person in possession of the animal to the enforcement provisions of section 103-3 of the Code, and the fine imposed shall not be less than five hundred dollars ~~(\$500.00)~~ for the first violation; not less than one thousand dollars ~~(\$1000.00)~~ for a second violation; and upon a third violation, the animal shall be seized in accordance with section 531-721, *et seq.* If such violation results in the dog causing serious injury to any person, the court shall, upon request, order the animal forfeited and/or destroyed.~~

Sec. 531-502, Wild, and dangerous animal; registration required; limitation on ownership.

~~(a) It shall be unlawful for a person to own a wild or dangerous animal or dangerous dog or potentially dangerous dog in the city without first having registered the animal with the animal care and control division under this article; however, this section shall not apply to zoological parks or bona fide circuses or carnivals.~~

(b) It shall be unlawful for any person, firm, corporation, organization or department to own, possess or maintain more than two (2) dangerous dogs or animals at any time within the bounds of the consolidated city and county. This sub-section shall not apply to duly licensed veterinarians and operators of duly licensed kennels as defined at sec. 531-101 of this Code whose possession is to either board temporarily or to provide treatment. Such ownership may be further restricted pursuant to the provision of Sec. 531-733.

(c) It shall be unlawful for any person, firm, corporation, organization or department to own, possess or maintain any dangerous dog within the bounds of the consolidated city and county unless the dangerous dog has been spayed or neutered by a licensed veterinarian and that has been implanted with a microchip with a registered identification number.

Sec. 531-503. Crime prevention dog;

(a) It shall be unlawful for a person to own a crime prevention dog in the city without first having registered the animal with the animal care and control division under this article.

(b) Notwithstanding the provisions of section 531-202 of the Code, each crime prevention dog shall be implanted with a microchip which bears a registered identification number.

Sec. 531-504. Registration information required; notification of change.

(a) A registration required by this article shall be made on forms provided by the animal care and control division, and shall include the following:

- (1) The owner's name, address, and telephone number where the owner can be reached in the event of an emergency;
- (2) The address and type of premises where the animal is kept;
- (3) A detailed description of each animal registered; and
- (4) Any other information deemed necessary and appropriate by the animal care and control division.

(b) During the term of the registration, the owner of an animal registered under this article shall notify the animal care and control division in writing of any change in circumstances which would render the information contained in the registration incomplete or inaccurate.

Sec. 531-505. Registration fee, term and revocation.

(a) There is no fee for the registration of an animal under this article.

(b) The term of the registration shall expire on the last day of December of the year in which the registration is made, and shall be renewable upon application therefore.

(c) The animal care and control division may revoke a registration issued under this article for any violation of this article committed by the owner of the animal.

Sec. 531-506. Warning signs required.

(a) The owner or occupant of premises where a wild or dangerous animal is kept shall post, at each entrance to such premises, conspicuous signs which state, "WARNING: WILD OR DANGEROUS ANIMAL. FOR FURTHER INFORMATION CALL (the telephone number of the owner or occupant of the premises)."

(b) The owner or occupant of premises where a crime prevention dog is kept shall post, at each door of the premises accessible to the dog, conspicuous signs which state, "WARNING: A CRIME PREVENTION DOG IS GUARDING THIS PROPERTY. FOR FURTHER INFORMATION CALL (the telephone number of a person able to control the dog)."

Sec. 531-507. Penalties.

A person who violates any provision of this article shall be punishable as provided in section 103-3 of this Code; provided, however, a fine imposed for any such violation shall not be less than one hundred dollars (\$100.00).

SECTION 5. Sections 531-721, 531-727 and 531-733 of Chapter 531 of the Revised Code of the Consolidated City and County are hereby amended by deleting the text that is stricken through and adding the language that is underlined as follows, and a new Sec. 531-728 is added by the language that is underlined as follows:

Sec. 531-721. Grounds for impoundment.

- (a) Any animal found at large in violation of this chapter shall be captured and impounded.
- (b) Any animal found confined or abandoned on private property in violation of this chapter or section 836-5 of this Code shall be impounded.
- (c) Any dangerous animal found at large or not confined as required by this chapter may be captured, impounded and its release shall be subject to the provisions of Sec. 531-733.

Sec. 531-727. Petition for bond to cover costs of impoundment and care; forfeiture of animal.

- (a) *Petition.* Whenever an animal is impounded under this article for a violation of section 531-109, 531-204, or 531-305, or a violation of article IV of this chapter, or a violation of V of this chapter, or a violation of 531-728, or has been impounded on ~~two (2) or more~~ a prior occasions, ~~and~~ or the city prosecutor has applied for an order under section 531-733, the city prosecutor may file a petition with the court having jurisdiction over the ordinance enforcement action requesting an order to require the owner to post a cash bond to cover the fees and costs of the animal's care. The petition shall include an itemized estimate of the reasonable expenses the animal care and control division expects to incur for the care of the animal from the time of impoundment to a minimum of thirty (30) days thereafter. Such expenses shall include but are not limited to the impoundment fee and kennel fees provided in section 531-726 of the Code, and the estimated cost of emergency and routine veterinary care.
- (b) *Hearing and order.* The court, pursuant to its rules of procedure, shall provide the opportunity for a prompt hearing and prompt decision on the city prosecutor's petition. If the court finds there is a reasonable likelihood that the city will prevail on the merits of the ordinance enforcement action, then the court shall order the owner to post a cash bond as provided in this section to cover the fees and other costs of care of the animal for a specific period of time of not less than thirty (30) days beginning on the date of impoundment.
- (c) *Posting of bond; time requirements.* The owner shall post the bond by delivering cash or a certified or cashier's check payable to "City of Indianapolis" to the animal care and control division. The cash or check must be received by the animal care and control division within three (3) days after the date of the court's order, excluding Saturdays, Sundays, and city holidays established in section 291-206 of the Code. The animal care and control division shall hold such check or cash in trust until forfeiture of the animal, return of the animal to its owner, or final adjudication of the ordinance enforcement action, whichever first occurs.
- (d) *Renewal bonds.* The animal's owner shall renew the bond at the end of the period of time ordered by the court, and every thirty (30) days thereafter, in the same manner as posting the bond provided in subsection (c) of this section. The owner's duty to renew the bond shall continue until forfeiture of the animal, return of the animal to its owner, or final adjudication of the ordinance enforcement action, whichever first occurs. The owner shall pay the renewal bond before the close of business on the last day of each bond period; however, if such last day is a Saturday, Sunday, or city holiday established in section 291-206 of the Code, then the renewal bond shall be paid on the last business day prior to such Saturday, Sunday, or holiday.
- (e) *Forfeiture.* If an owner fails to post a bond within three (3) days as provided by subsection (c) of this section, or fails to pay a renewal bond before the close of business on the last day of each bond period as provided by subsection (d) of this section, then the owner shall be presumed to have surrendered all rights and claim of ownership and control of the animal and the city prosecutor may petition the court for an order to dispose of the animal under the provisions of section 531-731 of the Code.
- (f) *Expiration of bond.* Upon forfeiture of the animal, return of the animal to its owner, or final adjudication of the ordinance enforcement action, whichever first occurs, the animal care and control division shall be entitled to draw upon the cash or certified or cashier's check to cover the animal's impoundment fee, kennel fees and the cost of any actual veterinary care. After the fees and costs are paid, the city shall promptly remit any remaining bond money to the owner; however, if the bond money is not sufficient to cover such fees and costs, the owner shall be liable to the city for the difference.

Sec. 531-728. Additional Restrictions on Dangerous or Nuisance Owners or Keepers of Dogs Animals.

(a) It shall be unlawful for any person who has been found in violation of Sec. 531-102 [at large], 531-103 [animals in heat], 531-109 [animal attacks], 531-204 [nuisance], 531-206 [unlawful use], 531-401 [care and treatment], 531-402 [abandonment], 531-404 [animal fights] or Art. V of this Chapter, to own or keep more than two (2) dogs in the city or to own or keep any dog:

(1) that has not been spayed or neutered by a veterinarian; or

(2) that has not been implanted with a microchip with a registered identification number.

(b) It shall be unlawful for a person who has been found in violation of Sections 531-102(c) [at large], 531-109 [animal attacks], 531-206 [unlawful use], 531-404 [animal fights] or Art. V of this Chapter to cause, suffer, or allow any dog owned or kept by that person to be outside a structural enclosure sufficient to confine the dog without means of escape, unless the dog is on a leash and under the control of a competent adult.

Sec. 531-733. Restrictions on return of certain animals.

(a) Notwithstanding any other provision of this chapter, an animal which has been impounded under this article for a violation of section 531-102 [at large], 531-103 [animals in heat], 531-109 [animal attacks], 531-204 [nuisance], or 531-305 [rabies quarantine], or a violation of either Article IV or V, of this Chapter, or a violation of 531-728 [additional restrictions], or which has been impounded on a two (2) or more prior occasions, or which has bitten or otherwise caused injury to person or property shall be returned to its owner only if the enforcement authority in its discretion determines that such return will not result in further or ongoing violations of these sections.

(b) If such a determination cannot be made, or Art. V of this Chapter is applicable or the actions of the animal/dog have resulted in serious injury to a person, the enforcement authority then shall apply to a court of competent jurisdiction for an order to dispose of the animal under the provisions of section 531-731 of this article.

SECTION 6. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance, which upon adoption thereof shall be **January 1, 2007**. Those rights, liabilities and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 7. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 8. This ordinance shall be in full force and effect from and after January 1, 2007 after its passage by the Council and compliance with I.C. 36-3-4-14.

PROPOSAL NO. 533, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 533, 2006 on November 9, 2006. The proposal, sponsored by Councillors Conley, Nytes, Mahern, Borst, Abdullah and Keller, approves the issuance of one or more series of Indiana Waterworks District Net Revenue Bonds and, if necessary, one or more bond interest rate agreements related to the bonds in an aggregate principal amount of refunding bonds not to exceed \$100,000,000. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 533, 2006 was adopted on the following roll call vote; viz:

25 YEAS: Abdullah, Bateman, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy

0 NAYS:

2 NOT VOTING: Borst, Plowman

2 ABSENT: Bradford, Randolph

Proposal No. 533, 2006 was retitled GENERAL RESOLUTION NO. 22, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 22, 2006

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of City of Indianapolis, Indiana Waterworks District Net Revenue Bonds and, if necessary, one or more bond interest rate agreements related to the bonds in an aggregate principal amount of refunding bonds not to exceed One Hundred Million Dollars (\$100,000,000) and other actions in respect thereto.

WHEREAS, the Board of Directors of the Department of Waterworks ("Board") of the City of Indianapolis, Indiana ("City"), being the governing body of the Waterworks District of the City ("Waterworks District"), desires to undertake certain financial transactions to realize a savings on certain outstanding bonds described below:

WHEREAS, IC 36-3-5-8 requires the City-County Council of Indianapolis and of Marion County ("City-County Council") to approve the issuance of bonds by any special taxing district of the City; and

WHEREAS, the Waterworks District is a special taxing district of the City pursuant to statute, but the Waterworks District does not intend to levy any property taxes in the Waterworks District; and

WHEREAS, IC 5-1.4 provides that a "qualified entity", which term includes the Waterworks District as a department of the City created by General Ordinance 112, 2001, may issue and sell its bonds or notes to The Indianapolis Local Public Improvement Bond Bank ("Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Refunding Bonds (defined below) in a negotiated sale subject to approval by the Board of Directors of the Bond Bank and to enter into related bond interest rate agreements; and

WHEREAS, the Board has adopted one or more supplemental bond resolutions in substantially final form ("Bond Resolution"), authorizing the issuance of the revenue bonds ("Refunding Bonds") of the Waterworks District, to be issued in one or more series, together with the bond interest rate agreements related to such Refunding Bonds of the Waterworks District, to be issued or entered into, in one or more series, in the aggregate principal amount of Refunding Bonds not to exceed One Hundred Million Dollars (\$100,000,000) for the purposes of procuring funds to apply to the cost of refunding a portion of the Waterworks District Net Revenue Bonds, Series 2002A ("2002 Bonds") in the outstanding principal amount not to exceed \$90,000,000 (the "Prior Bonds"); and

WHEREAS, the issuance of the Refunding Bonds allocable to the refunding of the Prior Bonds and entry into the related bond interest rate agreements is expected to result in a net present value savings to the Board; and

WHEREAS, the City-County Council has determined that the issuance of the Refunding Bonds and the entry into bond interest rate agreements related thereto by the Waterworks District should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA;

SECTION 1. The City-County Council does hereby approve the issuance and sale to the Bond Bank of the Refunding Bonds of the Waterworks District, to be issued in one or more series, and the entry into bond interest rate agreements related thereto, in an aggregate principal amount of Refunding Bonds not to exceed One Hundred Million Dollars (\$100,000,000) to apply to the costs of refunding the Prior Bonds, payable solely from the revenues of the waterworks as specified in the Bond Resolution, which is incorporated herein by reference and a copy of which shall be attached to the official copy of this resolution.

SECTION 2. This Resolution shall be on full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 540, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 540, 2006 on October 31, 2006. The proposal, sponsored by Councillor Randolph, amends the Code to create a fee for public safety-supported events and to establish the Special Public Safety Fund. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Boyd moved, seconded by Councillor Conley to strike. Proposal No. 540, 2006 was stricken by a unanimous voice vote.

PROPOSAL NO. 553, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 553, 2006 on November 8, 2006. The proposal, sponsored by Councillors Sanders and McWhirter, approves a transfer of \$22,715 in the 2006 Budget of the Cable Communications Agency (Consolidated County Fund) to purchase software for a webstreaming project that will allow government access programming to be available on the City-County website. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Nytes, for adoption.

Councillor Borst asked if the government channels will ever be able to be on dish network or direct TV. Councillor Sanders stated that there was no discussion regarding that at this time.

Proposal No. 553, 2006 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy*
0 NAYS:
1 NOT VOTING: *Plowman*
2 ABSENT: *Bradford, Randolph*

Proposal No. 553, 2006 was retitled FISCAL ORDINANCE NO. 126, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring Twenty Two Thousand Seven Hundred Fifteen Dollars (\$22,715) in the Consolidated County Fund for purposes of the Cable Communications Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (d) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to purchase software for webstreaming.

SECTION 2. The sum of Twenty Two Thousand Seven Hundred Fifteen Dollars (\$22,715) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

CABLE COMMUNICATIONS AGENCY
3. Other Services and Charges
TOTAL INCREASE

CONSOLIDATED COUNTY FUND
22,715
22,715

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>CABLE COMMUNICATIONS AGENCY</u> | <u>CONSOLIDATED COUNTY FUND</u> |
|------------------------------------|---------------------------------|
| 4. Capital Outlay | <u>22,715</u> |
| TOTAL REDUCTION | 22,715 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

PROPOSAL NO. 554, 2006. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 554, 2006 on November 8, 2006. The proposal, sponsored by Councillors Moriarty Adams, McWhirter, Brown and Conley, determines the need to lease approximately 16,000 square feet of space at 980 Western Drive for use as warehouse space by the Department of Public Safety for and on behalf of Indiana Task Force One, an urban search and rescue task force. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 554, 2006 was adopted on the following roll call vote; viz:

25 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy
0 NAYS:
2 NOT VOTING: Keller, Plowman
2 ABSENT: Bradford, Randolph

Proposal No. 554, 2006 was retitled SPECIAL RESOLUTION NO. 69, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 2006

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately 16,000 square feet of space at 980 Western Drive, Indianapolis, Indiana, for use as warehouse space by the Department of Public Safety, for and on behalf of Indiana Task Force One, an urban search and rescue task force of the Federal Emergency Management Agency's National Urban Search & Rescue Response System.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of warehouse space by the Department of Public Safety for use by Indiana Task Force One, is needed.

SECTION 2. The property to be leased is located at 980 Western Drive, Indianapolis, Indiana. Such property is owned by B & D Development Company, LLC.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 556, 2006. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 556, 2006 on November 6, 2006. The proposal, sponsored by Councillors Mahern, Keller, Nytes and Gibson, approves the amounts, locations and programmatic operation of certain projects to be funded from Community Development Grant Funds. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mahern moved, seconded by Councillor Gibson, for adoption.

Councillor Schneider stated that he will vote against the proposal because he feels the government should not be re-distributing the wealth the way they want, but should instead give tax cuts for individuals to use how they choose.

Councillor Borst referred to page five and asked if job training is new. Margaret Lawrence Banning, Department of Metropolitan Development, stated that job training has always been a part of this distribution, even though housing has been a priority, with other public services being emphasized. She said that job training helps individuals get the skills they need to get into a trade or job, which helps the community.

Councillor Gibson commended Ms. Banning and Department Director Maury Plambeck on choosing programs geared toward crime prevention and services for ex-offenders.

Councillor Nytes said that although she understands Councillor Schneider's concerns, the Council should look at the opportunity these dollars give the City to work together as a community to solve some local problems.

Proposal No. 556, 2006 was adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Bateman, Borst, Bowes, Boyd, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Speedy
1 NAYS: Schneider
2 NOT VOTING: Brown, Plowman
2 ABSENT: Bradford, Randolph

Proposal No. 556, 2006 was retitled SPECIAL RESOLUTION NO. 70, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 2006

PROPOSAL FOR A SPECIAL RESOLUTION approving the amounts, locations, and programmatic operation of certain projects to be funded from Community Development Grant Funds.

WHEREAS, the City-County Council, the City of Indianapolis and of Marion County, Indiana ("Council"), passed City-County Fiscal Ordinance No. 89, 2006, the 2007 Annual Budget of the Consolidated City of Indianapolis and for Marion County, Indiana ("Budget Ordinance"); and

WHEREAS, Section 4.01 (b) of the Budget Ordinance, as approved by the Council, reads as follows:

Community Development Grant Funds. Until this Council has approved the amounts, locations, and programmatic operation of each project to be funded from Community Development Grant Funds, the amounts appropriated herein for such purposes shall not be encumbered or spent;

WHEREAS, the Department of Metropolitan Development of the City of Indianapolis, Indiana ("Department of Metropolitan Development") has presented the 2007 Consolidated Annual Action Plan, a document submitted to the United States Department of Housing and Urban Development ("HUD"), which sets forth the City's goals and intentions for using federal dollars in fiscal year 2007, to the Council; and

WHEREAS, the 2007 Consolidated Annual Action Plan identifies the amounts, locations, and programmatic operation of each project that will be funded by Community Development Grant Funds, which are summarized in the Summary of 2007 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference; and

WHEREAS, Council now finds that the amounts, locations, and programmatic operations of each project listed in the 2007 Consolidated Annual Action Plan, including insubstantial amendments thereto should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the amounts, locations, and programmatic operations of each of the projects included in the 2007 Consolidated Annual Action Plan, which are summarized in the Summary of 2007 Proposed Activities, attached hereto as Attachment A and incorporated herein by reference, are approved.

SECTION 2. This approval shall constitute the approval required under Section 4.01(b) of the Budget Ordinance and shall include and allow insubstantial amendments to the approved projects.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code section 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 565, 567 and 568, 2006 on November 1, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 565, 2006. The proposal, sponsored by Councillors Moriarty Adams, Borst, Brown, Sanders and Randolph, approves a transfer of \$30,104 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to allow for expenditure of previously approved grants including JAIBIG 7, Community Court and Juvenile Drug Treatment Court. PROPOSAL NO. 567, 2006. The proposal, sponsored by Councillors Franklin, Brown, Conley, Sanders and Randolph, approves a transfer of \$95,000 in the 2006 Budget of the Forensics Services Agency (County General Fund) to purchase three microscopes and other lab equipment for new employees hired to comply with order of the Marion Superior Court. PROPOSAL NO. 568, 2006. The proposal, sponsored by Councillors Moriarty Adams, McWhirter and Brown, approves a transfer of \$9,450 in the 2006 Budget of the Department of Public Safety, Emergency Management Planning Division (Consolidated County Fund) to cover projected deficits for paying telephone and fleet maintenance charges. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 565, 567, and 568, 2006 were adopted on the following roll call vote; viz:

23 YEAS: Abdullah, Bateman, Bowes, Boyd, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Speedy

0 NAYS:

4 NOT VOTING: Borst, Brown, Plowman, Schneider

2 ABSENT: Bradford, Randolph

Proposal No. 565, 2006 was retitled FISCAL ORDINANCE NO. 127, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring Thirty Thousand One Hundred Four Dollars (\$30,104) in the State and Federal Grants Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (f) of the City-County Annual Budget for 2006 be, and is hereby, amended by

November 13, 2006

the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to pay for expenses related to grant programs funded by the Indiana Criminal Justice Institute.

SECTION 2. The sum of Thirty Thousand One Hundred Four Dollars (\$30,104) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|-------------------------------|--------------------------------------|
| 3. Other Services and Charges | <u>30,104</u> |
| TOTAL INCREASE | 30,104 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>MARION SUPERIOR COURT</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|------------------------------|--------------------------------------|
| 1. Personal Services | 19,069 |
| 2. Supplies | <u>11,035</u> |
| TOTAL REDUCTION | 30,104 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 567, 2006 was retitled FISCAL ORDINANCE NO. 128, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 128, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring and appropriating Ninety Five Thousand Dollars (\$95,000) in the County General Fund for purposes of the Forensics Services Agency and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06 (a) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Forensics Services Agency to purchase three microscopes and other lab equipment for new employees hired to comply with order of the Marion Superior Court.

SECTION 2. The sum of Ninety Five Thousand Dollars (\$95,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>FORENSIC SERVICES AGENCY</u> | <u>COUNTY GENERAL FUND</u> |
|---------------------------------|----------------------------|
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | 0 |
| 4. Capital Outlay | <u>95,000</u> |
| TOTAL INCREASE | \$95,000 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| <u>FORENSIC SERVICES AGENCY</u> | <u>COUNTY GENERAL FUND</u> |
|---------------------------------|----------------------------|
| 1. Personal Services | \$50,000 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | \$45,000 |
| 4. Capital Outlay | <u>0</u> |
| TOTAL DECREASE | \$95,000 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 568, 2006 was retitled FISCAL ORDINANCE NO. 129, 2006, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 129, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) transferring and appropriating Nine Thousand Four Hundred and Fifty Dollars (\$9,450) in the Consolidated County Fund for purposes of the Department of Public Safety, Emergency Management Planning Division and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (k) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management Planning Division to fund projected deficits in the characters to pay for telephone and fleet maintenance charges.

SECTION 2. The sum of Nine Thousand Four Hundred and Fifty Dollars (\$9,450) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT PLANNING DIVISION</u> | <u>CONSOLIDATED COUNTY FUND</u> |
|---|---------------------------------|
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | \$2,150 |
| 4. Capital Outlay | 0 |
| 5. Internal Charges | <u>\$7,300</u> |
| TOTAL INCREASE | \$9,450 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| <u>DEPARTMENT OF PUBLIC SAFETY</u> <u>EMERGENCY MANAGEMENT PLANNING DIVISION</u> | <u>CONSOLIDATED COUNTY FUND</u> |
|---|---------------------------------|
| 1. Personal Services | 0 |
| 2. Supplies | 0 |
| 3. Other Services and Charges | 0 |
| 4. Capital Outlay | \$9,450 |
| 5. Internal Charges | <u>0</u> |
| TOTAL DECREASE | \$9,450 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 569-576, 2006 on November 9, 2006. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 569, 2006. The proposal, sponsored by Councillors McWhirter and Conley, authorizes intersection controls for the Eagle Springs subdivision (District 6). PROPOSAL NO. 570, 2006. The proposal, sponsored by Councillors Day and Conley, authorizes a change in intersection controls at the intersection of Draper Street and Kelly Street (District 20). PROPOSAL NO. 571, 2006. The proposal, sponsored by Councillors Keller, Mahern and Conley, authorizes changes in weight restrictions on Calvary Street, between English Avenue and Shelby Street (Districts 16/19). PROPOSAL NO. 572, 2006. The proposal, sponsored by Councillors Keller and Conley, authorizes changes in weight restrictions on Fletcher Avenue between State Avenue and St. Paul Street (District 16). PROPOSAL NO. 573, 2006. The

proposal, sponsored by Councillors Randolph and Conley, authorizes intersection controls for the Brennan Woods subdivision (District 1). PROPOSAL NO. 574, 2006. The proposal, sponsored by Councillors Franklin and Conley, authorizes intersection controls for the Sanctuary subdivision (District 12). PROPOSAL NO. 575, 2006. The proposal, sponsored by Councillors Pfisterer and Conley, authorizes intersection controls for the Lynhurst Gardens subdivision (District 14). PROPOSAL NO. 576, 2006. The proposal, sponsored by Councillors Abdullah, Pfisterer and Conley, authorizes one-way restrictions on Lynn Street between Michigan Street and St. Clair (Districts 14/15). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal Nos. 569-576, 2006 were adopted on the following roll call vote; viz:

23 YEAS: Abdullah, Bateman, Bowes, Boyd, Cain, Cockrum, Conley, Day, Franklin, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy

0 NAYS:

4 NOT VOTING: Borst, Brown, Gibson, Plowman

2 ABSENT: Bradford, Randolph

Proposal No. 569, 2006 was retitled GENERAL ORDINANCE NO. 95, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 95, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|--------------------------------------|---------------------|------------------------|
| 8 | Dandy Tr Peach Blossom Pl | Dandy Tr | Stop |
| 8 | Peach Blossom Pl Purple Lilac Cir | Purple Lilac Cir | Yield |
| 8 | Peach Blossom Pl Redberry Ct | Peach Blossom Pl | Yield |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 570, 2006 was retitled GENERAL ORDINANCE NO. 96, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 96, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-----------------------|---------------------|------------------------|
| 32 | Draper St Kelly St | Kelly St | Stop |

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-----------------------|---------------------|------------------------|
| 32 | Draper St Kelly St | Draper St | Stop |

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 571, 2006 was retitled GENERAL ORDINANCE NO. 97, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 97, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Calvary Street, from English Avenue to Shelby Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 572, 2006 was retitled GENERAL ORDINANCE NO. 98, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 98, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Fletcher Avenue, from State Avenue to St. Paul Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 573, 2006 was retitled GENERAL ORDINANCE NO. 99, 2006, and reads as follows:

November 13, 2006

CITY-COUNTY GENERAL ORDINANCE NO. 99, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|----------------------------------|---------------------|------------------------|
| 2 | French Ct 79 th St | 79 th St | Stop |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 574, 2006 was retitled GENERAL ORDINANCE NO. 100, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 100, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-------------------------------|---------------------|------------------------|
| 7 | Creekbend Ct Creekbend Ln | Creekbend Ln | Stop |
| 7 | Creekbend Ln Sandbury Rd | Sandbury Rd | Stop |
| 7 | Creekbend Ln Shady Bend Ct | Creekbend Ln | Stop |
| 14 | Creekbend Ln Fall Creek Rd | Fall Creek Rd | Stop |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 575, 2006 was retitled GENERAL ORDINANCE NO. 101, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 101, 2006

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---------------------------------|---------------------|------------------------|
| 23 | Burcham Way Lyngardens Way | Burcham Way | Stop |
| 23 | Burcham Way Lynhurst Dr | Lynhurst Dr | Stop |
| 23 | Burcham Way Sonnefield Ct | Burcham Way | Stop |
| 23 | Canopy Ct Canopy Way | Canopy Way | Stop |
| 23 | Canopy Way Garth Dr | Canopy Way | Stop |
| 23 | Garth Dr Lyngardens Way | Lyngardens Way | Stop |
| 23 | Greensward Ln Lyngardens Way | Greensward Ln | Stop |
| 23 | Greensward Ln Lynhurst Dr | Lynhurst Dr | Stop |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 576, 2006 was retitled GENERAL ORDINANCE NO. 102, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 102, 2006

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-342, One-way streets and alleys designated.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-342, One-way streets and alleys designated, be and the same is hereby amended by the addition of the following, to wit:

SOUTHBOUND

Lynn Street, from St. Clair Street to Michigan Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

President Gray congratulated Councillor Bowes on winning election of County Assessor.

Councillor Cockrum recognized his 13-year-old grandson for winning a “Standing Beside Veterans” essay contest for 7th grade in recognition of Veterans Day for area-wide schools.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

November 13, 2006

Councillor Borst stated that he had been asked to offer the following motion for adjournment by Councillor Pfisterer in memory of Margaret O'Neal Cohan, Mary Catherine Hazel, Gladys Showalter and George Buchanan

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Margaret O'Neal Cohan, Mary Catherine Hazel, Gladys Showalter and George Buchanan. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:49 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 13th day of November, 2006.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

